

COUNCIL MINUTES
MAY 8, 2013

The City Council held a meeting on Wednesday, May 8, 2013, at 5:48 p.m., in the Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Joe Burgess; Councilmembers: Ron Adams; John Black; Paul Cozzens; Don Marchant.

EXCUSED: Councilmember Nina Barnes.

STAFF PRESENT: City Manager Rick Holman; City Attorney Paul Bittmenn; City Engineer Kit Wareham; City Recorder Renon Savage; Finance Director Jason Norris; Police Chief Robert D. Allinson; Leisure Services Director Dan Rodgers; Street Superintendent Jeff Hunter.

OTHERS PRESENT: Chris Mock, Richard C. Bronsema, Bev Burgess, Mitch Robinson, Jennifer Morales, Dylan Stephens, Taylor Heinz, Josh Huntsman, Bronson Hignite, Garrett Mitchell, Kaylee Starr, Anna Sun, Paige Gunn, Doug Hall, Dillon Faney.

CONSENT AGENDA: (1) APPROVAL OF MINUTES DATED APRIL 17 & 24, 2013; (2) APPROVAL OF BILLS DATED MAY 2, 2013; (3) APPROVE SINGLE EVENT PERMITS FOR THE FOLLOWING EVENTS: (1) FIRE ROAD 100, JULY 6TH; (2) JULY JAMBOREE, JULY 13TH; AND (3) TOUR OF UTAH, AUGUST 6TH – MARK BARUFFI FOR THE CEDAR CITY DOWNTOWN RETAIL ALLIANCE; (4) APPROVE THE APPOINTMENT OF MARK BARUFFI TO THE DOWNTOWN PARKING AUTHORITY – MAYOR BURGESS: Councilmember Cozzens moved to approve the consent agenda items 1 through 4 as written; second by Councilmember Adams; vote unanimous.

CONSIDER APPROVAL OF AN ORDINANCE REPEALING CEDAR CITY ORDINANCE 0926-12, NO PARKING ON HORSE ALLEY – PAUL BITTMENN: Councilmember Black moved to approve the ordinance repealing the no parking on Horse Alley; second by Councilmember Cozzens;

Richard Bronsoma, Above All Auto – I have a business at the end of Horse Alley, we purchased about 5 years ago from Dave Dischbein. We have quadrupled business, we have a State Impound yard; we employ 4 full-time employees and we are there Monday through Friday from 8:00 - 5:00. We do normal repair and auto recycling. My point on this is very few people go down that road and understand the problem. The road is so narrow that it is difficult to get down the road for fire truck, tow trucks, and customers. It is a total disregard to the parking signs, we have people parking in front of fire hydrants and in the opposite direction, it is zoned commercial. Our customers have to drive through the congested area. Right now I could legally block 1/3 of the road, if I parked

on both sides of the road, there would be zero traffic. The road is complicated with County on one side and City on the other side. A certain member property owners have no common courtesy and there is no legal recourse without the no parking. If you do repeal the ordinance it will be an issue and you will discuss it again.

Cozzens – Commissioner Miller and I went down and talked with both parties, Jimmy and Bruce Passey, Commissioner Miller encouraged Jimmy to be respectful of the situation and not park there. I think he got the message; we encouraged them as neighbors to get along. He said by the weekend he would have the truck and trailer moved.

Richard – what is the no parking signs hurting? The road is not very wide. I could park my truck and trailer there for 3 days legally and shut the road down. The other problem, where the road widens, I have problem with people parking in front of fire hydrants and parking the wrong direction. It really needs to be neighbors getting along, but what about 1 hour or 15 minute parking so there is not an issue with being parked 3 days.

Cozzens – the signs did not help, Jimmy was the problem. Richard – he is not the only problem. If you look on the City Master Plan it is planned to tie onto the other industrial district which would be worse than a slow progressive change. I understand it is their property and they want to use it. If we make small steps it will hurt less. Cozzens – if they don't park in front of fire hydrants and the right direction can they park on the street? Richard – yes, the majority of responsible property owners already have a small cut in the fence. I had to move my fence back 10 feet to create parking on my property to accommodate what I was doing. It is an inconvenience for people to get out of their vehicles and open the gate. Cozzens – you have people in 4-H walking lambs. Tom Jett – I agree, this is going to continue to be a problem with or without no parking signs. I am substantially further, but I have to drive through it. It is unfortunate and inconvenient. Eventually there will be some type of incident that we will be sad, someone will get hurt. It is a screwed up situation. The PD can't fix everything. Most people if they see a sign will respect it to some degree. Marchant – what happened before Jimmy put the accumulation in? Why are we just experiencing this now, the problem has been there from the beginning. Tom – there is more traffic, Richard's business has increased a lot. I don't know. Marchant – it was never an issue before and the horse people were there before the commercial people. I drove down the next day and the signs were down.

Black – does the ordinance say no parking, doesn't allow it to change for 1 hour or 30 minutes. Paul – we can do something different. Cozzens – what makes the city more liable, repealing the ordinance or not enforcing it? The Chief said he does not have the manpower to enforce it. Paul – it doesn't do any good to put something on the books that we don't enforce. Marchant – we need to be gentleman and work with each other. You have a point, but the parking signs did not solve the problem, just indicated that you were in violation and no one was enforcing it anyway. Richard – I have been driving down that road for 6 years, I have spent tens of thousands of dollars to put parking in so my customers can park. Until the road is widened it will be a problem, but there is no way to enforce a gentleman's agreement. I have never had a problem with Mr. Robinson.

Mitch Robinson – the County signs are still there. Where the problem is the signs are still up. Paul – the County called and asked the City to put their signs back up. Richard – the narrowest part of the road there is not access to the individual properties. If you can't get a fire truck to my shop when it burns down then I am sorry.


The roll call vote on the motion is as follows:

Ron Adams	-	AYE
John Black	-	AYE
Paul Cozzens	-	AYE
Don Marchant	-	AYE

APPROVE INCENTIVE PACKAGE WITH INTEGRATED PROCESSING SYSTEMS – BRENNAN WOOD: Councilmember Adams moved to approve the incentive package with Integrated Processing Systems; second by Councilmember Marchant; vote unanimous.

EXECUTIVE SESSION – REASONABLY IMMINENT LITIGATION:

ADJOURN: Councilmember Black moved to adjourn and move into the executive session at 6:07 p.m.; second by Councilmember Adams; vote unanimous.


Renon Savage, CMC
City Recorder

